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rky*see at*UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,	:	CIVIL NO. 1:00-CV-2123
	:	
Plaintiff	:	(Judge Rambo)
	:	
v.	:	(Magistrate Judge Smyser)
	:	
SUPERINTENDENT DRAGOVICH,	:	
OFFICER VALENTINE,	:	
OFFICER ZIMMERMAN,	:	
OFFICER TAYLOR,	:	
OFFICER NOVAK,	:	
OFFICER NEY, and	:	
OFFICER SWIFT,	:	
	:	
Defendants	:	

FILED
HARRISBURG, PA

APR 12 2001

MARY E. D'ANDREA, CLERK
PER 9/8 DEPUTY CLERKORDER

On December 7, 2000, the plaintiff commenced this 42 U.S.C. § 1983 action by filing a complaint. On February 1, 2001, the plaintiff filed an amended complaint.

On March 6, 2000, the defendants filed a motion to dismiss the complaint. The plaintiff has not filed a brief in opposition to the motion to dismiss as required by Local Rule 7.6, Rules of Court, M.D. Pa.

Generally, a dispositive motion may not be granted merely because it is unopposed. However, when a plaintiff fails to prosecute an action or fails to comply with a court order, the court may dismiss the action pursuant to Fed.R.Civ.P. 41(b) of the Federal Rules of Civil Procedure.

AND NOW, this 12th day of April, 2001, **IT IS HEREBY ORDERED** that the plaintiff shall file a brief in opposition to the motion to dismiss on or before April 27, 2001. If the plaintiff fails to file a brief in opposition within this time we will consider recommending that this action be dismissed pursuant to Fed.R.Civ.P. 41(b), by application of the factors in *Poulis v. State Farm Fire & Casualty Co.*, 747 F.2d 863, 868 (3d Cir. 1984).


J. Andrew Smyser
Magistrate Judge

Dated: April 12, 2001.

DATE:

4/12/01

BY:


Deputy Clerk